



May 15, 2007 CPC
June 19, 2007 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

07SN0299

Princeton Properties, Inc.

Bermuda Magisterial District
Ecoff Elementary; Carver Middle; and Bird High Schools Attendance Zones
South line of Iron Bridge Road

REQUEST: Amendment to Conditional Use Planned Development (Case 06SN0196) to permit multifamily residential uses.

PROPOSED LAND USE:

A multifamily residential development to accommodate the expansion of the adjacent River Forest Apartment project is proposed. Conditions limit density to that permitted in a Residential Multifamily (R-MF) District at ten (10) dwelling units per acre, yielding a maximum of approximately sixty (60) units (Textual Statement 2). The average actual dwelling units approved in a Residential Multifamily (R-MF) District, utilizing public water and sewer, is 8.96 units per acre, yielding approximately fifty-four (54) dwelling units.

(NOTE: IN ORDER FOR THE PLANNING COMMISSION TO CONSIDER THIS REQUEST AT THEIR MEETING A \$500.00 DEFERRAL FEE MUST BE PAID PRIOR TO THE PUBLIC HEARING.)

RECOMMENDATION

Recommend approval for the following reasons:

- A. The proposed zoning and land uses conform to the Central Area Plan which suggests the property is appropriate for a mix of office and residential uses of various densities.

- B. The proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS.)

PROFFERED CONDITIONS

The Owner, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County (the "Zoning Ordinance"), for itself and its successors or assigns, hereby requests to amend the Statement of Proffered Conditions pursuant to the terms and conditions set forth herein, which Statement of Proffered Conditions was previously approved by the Board of Supervisors on July 26, 2006, as a part of Rezoning Case 06SN0196 (the "Existing Rezoning Case"), in which the Board approved, among other things, rezoning to R-TH with a Conditional Use Planned Development of 38.0 acres, located on the south line of Ironbridge Road (Route 10), west of the River Forest Apartments and east of the Edenshire subdivision designated as Chesterfield County Tax IDs 776-652-2477, 776-652-3293, 776-652-0051, 776-652-1462 and a portion of 776-652-7829 (now known as 776-652-7257) (the "Townhouse Property").

For the purposes of the Statement of Proffered Conditions, as amended, "Multi-Family Property" shall mean the 6.08 acre portion of the Townhouse Property depicted on that certain plat entitled "Zoning Plat of 6.08 Acres of Land" prepared by Townes Site Engineering, P.C., dated October 6, 2006, a copy of which was submitted with the application for this amendment, and lying west of and adjacent to property designated as Chesterfield County Tax ID 776-652-6715, on which is located an existing multi-family development known as the River Forest Apartments (the "Existing Apartment Property").

1. Amendment to Textual Statement: In conjunction with the approval of this request, the Amendment to Textual Statement dated April 19, 2007 (the "Textual Statement Amendment"), shall be approved.
2. Exceptions for Multi-Family Property: Notwithstanding anything to the contrary set forth in the Statement of Proffered Conditions, in the event the Multi-Family Property is used for construction of multi-family housing as provided in the Textual Statement Amendment, the Multi-Family Property shall be subject only to the proffered conditions of the Existing Rezoning Case numbered 1 (Utilities), 2 (Timbering), 3.a (Transportation), 3.e (Transportation) as amended herein, 4 (Textual Statement) and 9 (Cash Proffer) and shall not be subject to the other proffered conditions of the Existing Zoning Case. (P, U, EE, T and B&M)

3. Carver Heights Drive. Proffer 3.e of the Existing Zoning Case is hereby amended and restated as follows:

Prior to the earlier of (i) recordation of the initial subdivision plat establishing lots within the Townhouse Property or (ii) issuance of a building permit for the first dwelling unit on the Multi-Family Property, the developer shall pay \$170,000 to the County to be applied to the cost to construct an extension of or improvements to Carver Heights Drive, or for other road improvements within the Property's traffic shed as defined in the County's cash proffer policy. (T)

GENERAL INFORMATION

Location:

South line of Iron Bridge Road, west of Branders Creek Drive. Tax ID 776-652-Part of 7257.

Existing Zoning:

R-TH with Conditional Use Planned Development

Size:

6.1 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North and West – R-TH with Conditional Use Planned Development; Vacant
South - A; Single family residential
East - R-MF; Multifamily residential

UTILITIES

Public Water System:

There is an existing sixteen (16) inch water line extending along the south side of Iron Bridge Road approximately 350 feet north of this site. In addition, there is an existing twelve (12) inch water line along Branders Creek Drive, that terminates approximately 500 feet east of this site and an eight (8) inch water line extends along Rivington Drive and terminates adjacent to the western boundary of the request site. Use of the public water system is required as a condition of zoning. (Case: 06SN0196, Proffered Condition 1)

Per Utilities Department Design Specifications (DS-21), wherever possible, two (2) supply points shall be provided for subdivisions containing more than twenty-five (25) lots.

Public Wastewater System:

This site is within the service area of the Piney Branch Wastewater Pump Station, which is located adjacent to Carver Heights Drive, approximately 1,000 feet east of this site. Wastewater service to the request site, as well as future upstream development within the pump station service area, will require extending a wastewater line from the Piney Branch Wastewater Pump Station, west along Carver Heights Drive, within an easement across the southern portion of the River Forest Apartments, to the eastern boundary of this site. Use of the public wastewater system is required as a condition of zoning. (Case: 06SN0196, Proffered Condition 1)

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the south to a tributary of Swift Creek. There are currently no known on-or off-site drainage or erosion problems and none are anticipated after development.

The property is currently wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering (Proffered Condition 2). This will ensure that adequate erosion control devices are installed prior to timbering.

Water Quality:

The tributary to the treat of the property is a perennial stream and, as such, is subject to a 100 foot conservation area within which uses are very limited.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. This development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six new stations, the Plan also recommends the expansion of five (5) existing stations. Based on fifty-four (54) dwelling units, this request will generate

approximately fifteen (15) calls for fire and emergency medical service each year. The applicant has addressed the impact on fire and EMS. (Proffered Condition 2)

The Chester Fire Station, Company #1 and Bensley Bermuda Volunteer Rescue Squad currently provide fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

Schools:

Approximately twenty-nine (29) (Elementary: 13, Middle: 7, and High: 9) students will be generated by this development. Currently this site lies in the Ecoff Elementary School attendance zone: capacity - 782, enrollment – 850; Carver Middle School zone: capacity – 1,229, enrollment – 1,265; and Bird High School zone: capacity - 1,722, enrollment - 1,848. The enrollment is based on September 29, 2006 and the capacity is as of 2006-2007. This request will have an impact at the elementary, middle and high school level. There are currently four (4) trailers at Ecoff Elementary; seven (7) at Carver Middle and five (5) at Bird High School.

Elizabeth B. Davis Middle School is scheduled to open in the fall of 2008 that will provide relief for schools in this area of the county. This area of the county continues to experience growth and this school, will provide much needed space. This case combined with other residential developments and zoning cases in the area, will continue to push these schools over capacity, necessitating some form of relief in the future. The applicant has addressed the impact on schools. (Proffered Condition 2)

Libraries:

Consistent with Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County.

The development noted in this case would most likely affect the Chester Library or the Central Library. The Plan identifies a need for additional library space in the Chester area. The applicant has addressed the impact on library facilities. (Proffered Condition 2)

Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Public Facilities Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

Applicant has addressed impacts on Parks and Recreation facilities. (Proffered Condition 2)

Transportation:

The applicant is requesting an amendment to a previously approved rezoning (Case 06SN0196) which will allow, in addition to the current Residential Townhouse (R-TH) use, Multifamily Residential (R-MF) use on the property (6.1 acres). Based on current proffered conditions, which will not be affected by this rezoning, development of the subject property will require dedication of rights-of-way and a cash contribution consistent with the Board of Supervisors' Cash Proffer Policy towards addressing the traffic impact of the residential development. (Proffered Conditions 3.a and 9 of Case 06SN0196)

Proffered Condition 3.e of Case 06SN0196 requires that with development of any R-TH unit, a cash contribution shall be made towards the cost to construct an extension of Carver Heights Drive or to other road improvements within this cash proffer traffic shed (Proffered Condition 3.e of Case 06SN0196). The applicant has restated that proffered condition to ensure the cash contribution for the extension of Carver Heights Drive will also be provided with development of any R-MF unit. (Proffered Condition 3)

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	54*	1.00
Population Increase	146.88	2.72
Number of New Students		
Elementary	12.58	0.23
Middle	7.02	0.13
High	9.13	0.17
TOTAL	28.73	0.53
Net Cost for Schools	288,792	5,348
Net Cost for Parks	32,616	604
Net Cost for Libraries	18,846	349
Net Cost for Fire Stations	21,870	405
Average Net Cost for Roads	482,868	8,942
TOTAL NET COST	844,992	15,648

* Based on an average actual yield of 8.96 dwelling units per acre. The actual number of dwelling units and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries, and fire stations at \$15,648 per unit. The applicant has been advised that a maximum proffer of \$15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. Consistent with the Board of Supervisors' policy, and proffers accepted from other applicants, the applicant has offered cash to assist in defraying the cost of this proposed zoning on such capital facilities. (Proffered Condition 2)

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Central Area Plan which suggests the property is appropriate for a mix of office and residential uses of various densities.

Area Development Trends:

Properties to the north and west are zoned for residential townhouse development and are currently vacant. Property to the south is zoned Agricultural (A) and is occupied by a single family use. Property to the east is zoned Multifamily Residential (R-MF) and is developed as the River Forest Apartments. It is anticipated that development bordering Branders Creek Drive between Iron Bridge Road and Carver Heights Drive will continue for commercial and high density residential development, transitioning to office and residential development of various densities moving west from this intersection.

Zoning History:

On July 26, 2006, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved the rezoning of a 47.6 acre tract for a mix of residential, office and commercial uses located on the south line of Route 10, east of Branders Creek Drive and west of Edenshire Road (Case 06SN0196). The subject property was included in the proposed Residential Townhouse (R-TH) portion of the request.

Uses and Density:

Conditions of Case 06SN0196 permit the development of the property for Residential Townhouse (R-TH) uses at a density of eight (8) dwelling units per acre. The applicant requests an amendment to Case 06SN0196 to permit the option of developing multifamily residential uses on a 6.1 acre portion of the R-TH property at a density of ten (10) dwelling units per acre, yielding approximately sixty (60) multifamily units. Any portion of the property developed for R-MF uses would not be used towards the calculation of density for the existing R-TH. (Textual Statement 2)

Site Design:

Development of multifamily residential uses would be done as an expansion to the River Forest Apartments development, located adjacent to and east of the subject property. Development of the multifamily residential uses would comply with the requirements of the Zoning Ordinance for Residential Multifamily (R-MF) Districts, with the exception of perimeter landscaping, buffer and setback requirements where adjacent to the Residential Townhouse (R-TH) zoning (Textual Statement 3.a). It is anticipated that other R-MF requirements, such as minimum project size, parking, street frontage and recreational provisions, would be accomplished in tandem with the River Forest Apartment development. (Textual Statement 3.b)

CONCLUSIONS

The proposed zoning and land uses conform to the Central Area Plan which suggests the property is appropriate for mixed of office and residential uses of various densities. Further, the proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (5/15/07):

At the request of the applicant, the Commission deferred this case to their June 19, 2007, meeting.

Staff (5/16/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than May 22, 2007, for consideration at the Commission's June 19, 2007, public hearing. In addition, the applicant was advised that a \$500.00 deferral fee must be paid prior to the Commission's public hearing.

Staff (5/23/07):

To date, no new information has been submitted, nor has the deferral fee been paid.

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Amendment to Textual Statement
for Princeton Properties, Inc.

April 19, 2007

Overall Description

On July 26, 2006, the Board of Supervisors approved Rezoning Case 06SN0196 (the "Existing Rezoning Case"), which included approval of the rezoning to R-TH with a Conditional Use Planned Development of 38.0 acres, located on the south line of Ironbridge Road (Route 10), west of the River Forest Apartments and east of the Edenshire subdivision designated as Chesterfield County Tax IDs 776-652-2477, 776-652-3293, 776-652-0051, 776-652-1462 and a portion of 776-652-7829 (now known as 776-652-7257) (the "Townhouse Property"). Princeton Properties, Inc., now requests to amend the Textual Statement approved with the Existing Rezoning Case to permit a 6.08 acre portion of the Townhouse Property identified as "6.08 Acres" on that certain plat entitled "Zoning Plat of 6.08 Acres of Land" prepared by Townes Site Engineering, P.C., dated October 6, 2006, a copy of which was submitted with the application for this amendment (the "Multi-Family Property"), to be used for multi-family housing in connection with the expansion of the River Forest Apartments located on the adjacent property designated as Chesterfield County Tax ID 776-652-6715 (the "Existing Apartment Property"), by adding a paragraph 2 to the "Use Exception" section of the Textual Statement and a paragraph 3 to the "Bulk Exception" section of the Textual Statement as follows:

Use Exception

2. The Multi-Family Property may be used for multi-family housing uses in accordance with the regulations, restrictions and conditions of the R-MF (multifamily) zoning district as set forth in the Zoning Ordinance of Chesterfield County (the "Zoning Ordinance") if the Multi-Family Property is developed as an expansion of the multi-family housing project located on the Existing Apartment Property. If the Multi-Family Property is used for such purposes, the Multi-Family Property shall not be used for the purpose of calculating the density permitted on the remainder of the Townhouse Property.


Bulk Exceptions

3. If the Multi-Family Property is used for multi-family housing in accordance with the R-MF district, the following bulk exceptions shall apply to the Multi-Family Property:
 - a. No landscaping, buffer, setback or yard requirements shall be applicable to the common boundary line between the Multi-Family Property and the Existing Apartment Property.


- b. To the extent any requirements of the Zoning Ordinance with respect to parcel size, parking, street frontage, and recreational areas are applicable to the Multi-Family Property, the Multi-Family Property shall be considered a part of the Existing Apartment Property and such requirements may be satisfied with respect to the development of the Multi-Family Property and the Existing Apartment Property together as a whole.



07SN0299
AMEND C.U.P.D.

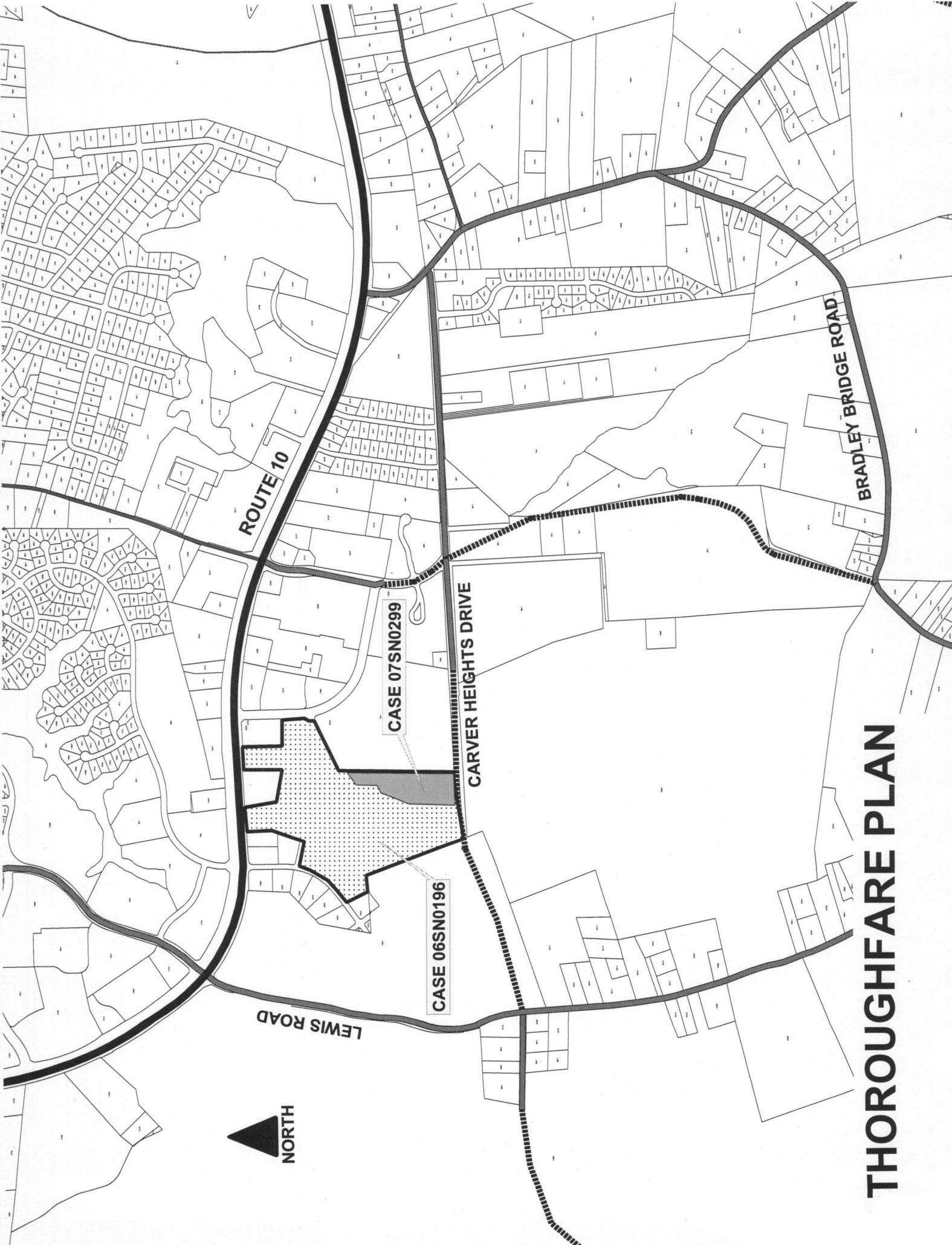


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